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**OFFICE OF PUBLIC INSTRUCTION**

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(406) 444-3095  
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**Linda McCulloch**  
Superintendent

Date: August 3, 2007

To: Local Education Agencies (LEAs)

From: Christine Emerson, School Nutrition Programs Director

Subject: Civil Rights Training Requirement for School Nutrition Programs Staff

The LEAs administering the School Nutrition Programs will be required to provide civil rights training for all frontline staff and supervisors who deal directly with School Nutrition Program applicants and participants. Examples include cooks, servers, lunchroom supervisors, clerks and administrators. Schools must train frontline staff at least one time per year and keep documentation (training topics, date of training, name of attendees) on file at the local level.

At a minimum, the training must include collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution and customer service.

School Nutrition Programs has created a presentation that LEAs may use to meet this requirement. The training can be found at [www.opi.mt.gov/schoolfood/index.html](http://www.opi.mt.gov/schoolfood/index.html) (click on "Lunch, Breakfast, Snacks and Milk" and look under "Civil Rights"). There is also a form in this same location that may be used to document training.

If you have any questions, please contact School Nutrition Programs at (406) 444-2501.



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<b>CIVIL RIGHTS TRAINING</b>	
Date Provided	
Presenter	
Attendees (list names)	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Topics Covered (a copy of the training may be attached)	

Keep this form on file at the Local Education Agency (LEA).  
For questions, please contact School Nutrition Programs at (406) 444-2501.

*"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."*



# CIVIL RIGHTS



*Your Rights & Responsibilities  
in the  
School Nutrition Programs*

2007

# PURPOSE OF CIVIL RIGHTS TRAINING



## *Objectives:*

- To give participants a general overview of civil rights.
- To educate participants on their rights and responsibilities as overseers of school nutrition programs.
- To provide informational resources to participants.

# DEFINITIONS

- *Civil Rights:* “An enforceable right or privilege, which if interfered by another gives rise for an act for injury.”
- *Discrimination:* “Occurs when the civil rights of an individual are interfered with because of their membership in a particular group or class.”





# CIVIL RIGHTS LEGISLATION

- *Civil Rights Act of 1964*: Non-discrimination on the basis of race, color, or national origin.  
*Title VI*: Prevents discrimination in federally funded programs.  
*Title VII*: Prevents employment discrimination where the employer is involved in interstate commerce.  
*Title IX*: Non-discrimination on the basis of sex.
- *The Americans with Disabilities Act of 1990*: Non-discrimination on the basis of Disability/Handicap.
- *Age Discrimination in Employment Act*: Non-discrimination on the basis of age.



# PROTECTED CLASSES

- Race
- Color
- National Origin
- Religious Creed
- Sex
- Age
- Disability



# FNS CIVIL RIGHTS PROGRAM



## *Cooperative Responsibility:*

- **Ensure equal opportunity for participation in programs.**
- Administer programs so that they are accessible to every eligible participant regardless of their **race, color, national origin, religious creed, sex, age, or disability.**

## *Application:*

- What are some situations that could lead to discrimination?





# COMMON PROBLEMS

- How to serve children with disabilities
- Requirements for informing the public
- Appropriate speech
- Dealing with complaints



# CHILDREN WITH DISABILITIES

- *Definition:* Disability

*“Any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.”*

- *What is the school’s responsibility to children with disabilities?*

Substitutions must be made for children with disabilities to ensure their ability to access school meals. Exact accommodations needed must be certified in writing by a licensed physician.

- Reference the USDA’s *“Accommodating Children with Special Dietary Needs in the School Nutrition Programs”* for more information.

# INFORMING THE PUBLIC

## ■ *Requirements for informing the public:*

1. The USDA's form AD-475C ("And Justice For All") must be posted at every food service/preparation site.
2. All PSA's and other informational mailings/announcements must contain a specified declaration of non-discrimination.
3. Provide information in other languages as needed by students.





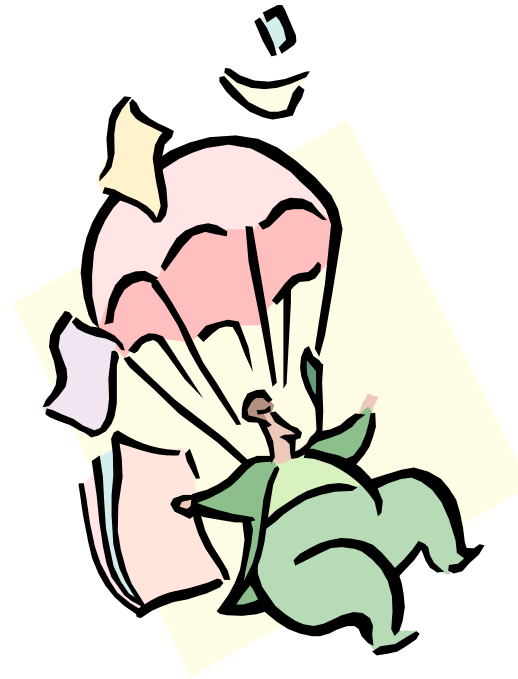
# NON-DISCRIMINATION STATEMENT

- In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

# APPROPRIATE SPEECH

## *Speaking Protocol*

- ~ **How would you want to be addressed?**
- ~ Put the person first
  - “A person with a disability”
- ~ Use “politically correct” terms
  - “Police Officer” not “Policeman”
- ~ Speak in terms of a person’s heritage, not color
  - “African American” “Caucasian”





# COMPLAINTS



## *Dealing with complaints*

- Listen politely
- Take corrective action
  - Get required information as listed on complaint form
  - Refer the person to the contact information on the “And Justice For All” poster
- 180 days to file a complaint
- Report the problem to School Nutrition Programs
- Follow up

*Application:* Personal experiences



# COMPLAINTS

All Civil Rights complaints, verbal or written, must be submitted promptly to the Office of Public Instruction, School Nutrition Programs, PO Box 202501, Helena, MT 59620-2501; Telephone: (406) 444-2501, Fax: (406) 444-2955. The following is the minimum information that must be obtained and reported to School Nutrition Programs.

## *Required Information to make a complaint*

- Complainant
- Name of person taking complaint
- Cause of complaint including protected class that the complainant feels was discriminated against
- Dates and locations that discriminatory action(s) occurred, and possible witnesses (other than complainant)
- Complaint form is available at: [www.opi.mt.gov/schoolfood/index.html](http://www.opi.mt.gov/schoolfood/index.html), click on “Lunch, Breakfast, Snacks and Milk” in the “Civil Rights” section





# COMPLAINTS

- Take action to correct the problem in a timely manner.
- Notify School Nutrition Programs of the corrective action taken.

# HOW TO SOLVE PROBLEMS

*What do I do if I see a problem?*

- ~ Assess the nature of the problem
- ~ Take appropriate steps to notify all pertinent parties that there is a problem, and work together to make a solution
- ~ Report to appropriate authorities
- ~ Follow up

***Be Proactive!***

**Avoid the problem**

Make sure sites follow compliance requirements





## OTHER REQUIREMENTS

- The Civil Rights Self Evaluation form must be completed by October 31 of each school year and kept on file.
- This form covers areas that may lead to civil rights issues.

# QUESTIONS?

## *Resources For More Information*



- School Nutrition Programs, (406) 444-2501
- [www.opi.mt.gov/schoolfood/index.html](http://www.opi.mt.gov/schoolfood/index.html)
  - *Accommodating Children with Special Dietary Needs in the School Nutrition Programs*
  - Complaint Form
- [www.usda.gov](http://www.usda.gov)  
Information on civil rights policy, “And Justice for All” posters
- <http://erd.dli.state.mt.us/HumanRights/HRhome.htm>  
Montana Human Rights Bureau

Distributed by:



**Linda McCulloch, Superintendent**

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